

**CONFERENCE COMMITTEE REPORT
DIGEST FOR ESB 89**

Citations Affected: IC 9-19-6; IC 9-21-9-5.

Synopsis: Lighting and marking of agricultural equipment. Conference committee report for ESB 89. Provides that an implement of husbandry or a farm tractor manufactured after June 30, 2006, must be fitted with equipment that meets certain national standards when operated on a highway. Requires the criminal justice institute to adopt rules for the design of a slow moving vehicle emblem. **(This conference committee report deletes the amendments made to SB 89 by the House.)**

Effective: July 1, 2005.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT:

Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill No. 89 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 9-19-6-11 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 11. **(a) This section**
- 4 **does not apply to:**
- 5 **(1) an implement of husbandry; or**
- 6 **(2) a farm tractor;**
- 7 **manufactured after June 30, 2006.**
- 8 ~~(a)~~ **(b)** A farm tractor and a self-propelled farm equipment unit or an
- 9 implement of husbandry not equipped with an electric lighting system
- 10 must at all times required by IC 9-21-7-2 be equipped with the
- 11 following:
- 12 (1) At least one (1) lamp displaying a white light visible from a
- 13 distance of not less than five hundred (500) feet to the front of the
- 14 vehicle.
- 15 (2) At least one (1) lamp displaying a red light visible from a
- 16 distance of not less than five hundred (500) feet to the rear of the
- 17 vehicle.
- 18 (3) Two (2) red reflectors visible from a distance of one hundred
- 19 (100) feet to six hundred (600) feet to the rear when illuminated by
- 20 the upper beams of head lamps.
- 21 The lights required by this subsection must be positioned so that one (1)
- 22 lamp showing to the front and one (1) lamp or reflector showing to the
- 23 rear will indicate the furthest projection of the tractor, unit, or

implement on the side of the road used in passing the vehicle.

~~(b)~~ **(c)** A combination of farm tractor and towed unit of farm equipment or implement of husbandry not equipped with an electric lighting system must at all times required by IC 9-21-7-2 be equipped with two (2) red reflectors that meet the following requirements:

(1) Are visible from a distance of one hundred (100) feet to six hundred (600) feet to the rear when illuminated by the upper beams of head lamps.

(2) Are mounted in a manner so as to indicate as nearly as practicable the extreme left and right rear projections of the towed unit or implement on the highway.

~~(c)~~ **(d)** A farm tractor and a self-propelled unit of farm equipment or an implement of husbandry equipped with an electric lighting system must at all times required by IC 9-21-7-2 be equipped with the following:

(1) Two (2) single-beam or multiple-beam head lamps meeting the requirements of section 20 or 21 of this chapter **or** IC 9-21-7-9.

(2) Two (2) red lamps visible from a distance of not less than five hundred (500) feet to the rear, or in the alternative one (1) red lamp visible from a distance of not less than five hundred (500) feet to the rear and two (2) red reflectors visible from a distance of one hundred (100) feet to six hundred (600) feet to the rear when illuminated by the upper beams of head lamps.

The red lamps or reflectors must be mounted in the rear of the farm tractor or self-propelled implement of husbandry so as to indicate as nearly as practicable the extreme left and right projections of the vehicle on the highways.

~~(d)~~ **(e)** A combination of farm tractor and towed farm equipment or towed implement of husbandry equipped with an electric lighting system must at all times required by IC 9-21-7-2 be equipped as follows:

(1) The farm tractor element of each combination must be equipped with two (2) single-beam or multiple-beam head lamps meeting the requirements of section 20 or 21 of this chapter or IC 9-21-7-9.

(2) The towed unit of farm equipment or implement of husbandry element of each combination must be equipped with the following:

(A) Two (2) red lamps visible from a distance of not less than five hundred (500) feet to the rear, or as an alternative one (1) red lamp visible from a distance of not less than five hundred (500) feet to the rear.

(B) Two (2) red reflectors visible from a distance of one hundred (100) feet to six hundred (600) feet to the rear when illuminated by the upper beams of head lamps.

The red lamps or reflectors must be located so as to indicate as nearly as practicable the extreme left and right rear projections of the towed unit or implement on the highway.

(3) A combination of farm tractor and towed farm equipment or towed implement of husbandry equipped with an electric lighting system must be equipped with the following:

(A) A lamp displaying a white or an amber light, or any shade of color between white and amber visible from a distance of not less

than five hundred (500) feet to the front.

(B) A lamp displaying a red light visible from a distance of not less than five hundred (500) feet to the rear.

The lamps must be installed or capable of being positioned so as to indicate to the front and rear the furthest projection of that combination on the side of the road used by other vehicles in passing that combination.

~~(e)~~ (f) A farm tractor, a self-propelled farm equipment unit, or an implement of husbandry must not display blinding field or flood lights when operated on a highway.

~~(f)~~ (g) All rear lighting requirements may be satisfied by having a vehicle with flashing lights immediately trail farm equipment in accordance with IC 9-21-7-11.

SECTION 2. IC 9-19-6-11.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 11.3. (a) This section applies to the following items manufactured after June 30, 2006, when operated on a highway:**

(1) An implement of husbandry.

(2) A farm tractor.

(b) An implement of husbandry or a farm tractor listed in subsection (a) must be equipped with:

(1) head lamps;

(2) tail lamps;

(3) work lamps;

(4) warning lamps;

(5) extremity lamps;

(6) turn indicators;

(7) rear reflectors;

(8) front and rear conspicuity material; and

(9) front, rear, and side retroreflective material;

that comply with the standards contained in the American Society of Agricultural Engineers (ASAE) Standard S279.11 DEC01 or any subsequent standards developed by ASAE at the time the vehicle was manufactured.

SECTION 3. IC 9-19-6-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 12. (a) This section does not apply to:**

(1) an implement of husbandry; or

(2) a farm tractor;

manufactured after June 30, 2006.

(b) A vehicle, including an animal-drawn vehicle and a vehicle referred to in IC 9-19-1-1 not specifically required by this article to be equipped with lamps or other lighting devices, must at all times required by IC 9-21-7-2 be equipped with at least two (2) red reflectors visible from distances of one hundred (100) feet to six hundred (600) feet to the rear when illuminated by the upper beams of head lamps.

SECTION 4. IC 9-21-9-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 5. (a) The Indiana criminal justice institute ~~may~~ shall adopt rules under IC 4-22-2 establishing standards and specifications for the design, materials, and mounting of a standard**

1 slow moving vehicle emblem for the uniform identification of slow
2 moving vehicles.

3 (b) In adopting rules under subsection (a), the Indiana criminal justice
4 institute shall ~~consider the standard markings used in other states and~~
5 **substantially adhere to** the current recommendations of the American
6 Society of Agricultural Engineers, **the American National Standards**
7 **Institute**, and the Society of Automotive Engineers so that the slow
8 moving vehicle emblem may be more universally recognizable and of
9 adequate quality.

10 (c) **The Indiana criminal justice institute shall adopt revisions to**
11 **the standards and specifications adopted as required under**
12 **subsection (a) as amendments are made to the recommendations of**
13 **the American Society of Agricultural Engineers, the American**
14 **National Standards Institute, and the Society of Automotive**
15 **Engineers regarding the slow moving vehicle emblem.**

16 SECTION 5. [EFFECTIVE JULY 1, 2005] (a) **To implement this**
17 **act, the Indiana criminal justice institute may adopt temporary**
18 **rules in the manner provided in IC 4-22-2-37.1 for the adoption of**
19 **emergency rules.**

20 (b) **A temporary rule adopted under this SECTION expires on**
21 **the earliest of the following:**

22 (1) **The date rules are adopted under IC 9-21-9-5, as amended**
23 **by this act.**

24 (2) **The date another temporary rule is adopted under this**
25 **SECTION to replace an earlier rule adopted under this**
26 **SECTION.**

27 (3) **December 31, 2006.**

(Reference is to ESB 89 as reprinted March 25, 2005.)

Conference Committee Report
on
Engrossed Senate Bill 89

Signed by:

Senator Jackman
Chairperson

Representative Cherry

Senator Hume

Representative Bottorff

Senate Conferees

House Conferees